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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,661	08/01/2003	Steven M. Casey	20366-092000	3558

20350	7590	08/08/2006

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EXAMINER
TIMBLIN, ROBERT M

ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/632,661	CASEY ET AL.
	Examiner	Art Unit	
	Robert M. Timblin	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *5/15/2006*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6,7 and 9-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4, 6-7, and 9-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _____ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

This office action corresponds to Applicant's amendments and remarks filed 5/15/2006

for application 10/632,661.

Response to Amendment

Corrections to the drawings and specification have been considered and

accepted. Therefore, objections to the drawings and specification have been

withdrawn.

Claim Rejections - 35 USC § 101

Reconsideration to claims 10-17 and 18-20 has been given in view of the

applicant's remarks/amendments. The respective 101 rejections to these claims have

been withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6-7, and 9-20 are rejected under 35 U.S.C. 102(e) as being anticipated by **Baer et al.** ('Baer' hereinafter) (US 6,611,840 B1).

5.   With respect to claim 1, **Baer** teaches A system for abstraction and distinction of content objects, wherein the system comprises:

'an abstraction engine communicably coupled to a first plurality of content object entities, <u>the abstraction engine operable to receive a content object from one of the first plurality of content object entities and to form the content object into an abstract form</u>' as a converter (10) coupled to the plurality of content servers (18) (col. 5 lines 10-12, and figures 1 and 2).

'a distinction engine communicably coupled to a second plurality of content object entities, <u>the distinction engine operable to conform the abstracted content object with a standard compatible with a selected on of the second plurality of content objects</u>' also as a converter (10) coupled to the plurality of content servers (col. 5, lines 10-12, and figures 1 and 2). It can be construed from figure 1 of the specification that the **Abstraction/Distinction engine** (130) is comprised in the same entity and therefore can perform either the abstracting or distinction of content objects, much like the converter of **Baer**, which is also comprised as one entity.

the first plurality of content object entities includes at least two content object entities selected from a group consisting of: **'an appliance control system, a telephone information system, a storage medium including video objects, a storage medium including audio objects, an audio stream source, a video stream source, a human interface, the Internet, and an interactive content entity'** as the

content server(s) (18) included within the digital library (20) that include digital objects such as audio, video, and documents (col. 5 lines 46-53 and figure 1).

the second plurality of content object entities includes at least two content object entities selected from a group consisting of: **'an appliance control system, a telephone information system, a storage medium including video objects, a storage medium including audio objects, a human interface, the Internet, and an interactive content entity'** also as the content server(s) (18) included within the digital library (20) that include digital objects such as audio, video, and documents (col. 5 lines 46-53 and figure 1). It can be construed from figure 1 of the specification that the abstraction/distinction engine (as a single entity) is coupled to a plurality of content object entities. The converter (10 of Baer) is also connected to a plurality of content server(s) that can inherently be first and second pluralities of object entities.

6.   With respect to claim 2, **Baer** teaches **'two or more of the content object entities are maintained on separate partitions of a common database'** (col. 9. lines 17-20).

7.   With respect to claim 3, **Baer** teaches **'the common database is partitioned using a content based schema'** (col. 9, lines 13-17).

8.   With respect to claim 4, **Baer** teaches **'the common database is partitioned using a user based schema'** (col. 9 lines 22-23).

Claim 5 has been canceled.

9.   With respect to claim 6, **Baer** teaches **'abstraction engine is operable to receive a first content object from one of the first content object entities and to derive a second content object based on the first content object, wherein the abstraction engine is further operable to receive a third content object from one of the first content object entities and to derive a fourth content object based on the third content object, and wherein the abstraction engine is further operable to combine the second content object and the fourth content object to create a fifth content object'** (col. 22, lines 57-64, and col. 26, lines 45-67).

10.   With respect to claim 7, **Baer** teaches **'distinction engine is operable to format the fifth content object such that the fifth content object is compatible with a selected one of the second plurality of content object entities'** (col. 5, lines 4-12).

11.   Claim 8 has been canceled.

12.   With respect to claim 9, **Baer** teaches **'an access point, wherein the access point indicates a number of content objects associated with the first plurality of content object entities, and one or more of the second plurality of content object entities to which respective content objects of the number of content object entities can be directed'** (col. 6, lines 13-19).

13.   With respect to claim 10, **Baer** teaches 10. A method for utilizing content

objects <u>by a content access point</u>, wherein the method comprises:

'**accessing a first content object from a first content object entity, wherein**

the first content object is in a first content format' as requesting an object (col. 8,

lines 19-29).

'**abstracting the first content object to create a second content object, in an**

abstract format, wherein the abstract format is compatible with a plurality of

content formats' as a converted format (col. 5, lines 10-12) .

distinguishing the second content object to create a third content object,

wherein the third content object is in a second content format that is compatible

with a second content object entity' content and other information are input to the

converter, which format the content (col. 5, lines 4-12).

'**providing the third content object to the second content object entity**' as

the content is loaded into storage (col. 5 lines 13-16).

14.   With respect to claim 11, **Baer** teaches '**accessing a fourth content**

object from a third content object entity' (col. 8, lines 19-29).

'**abstracting the fourth content object to create a fifth content object**' (col. 5,

lines 4-12).

'**combining the fifth content object with the second content object, wherein**

the combination of the second and fifth content objects are distinguished to

create the third content object' (col. 5, lines 4-12).

15.   With respect to claim 12, **Baer** teaches **'first content object is a video object, and wherein the fourth content object is an audio object'** (col. 5 lines 46-51).

16.   With respect to claim 13, **Baer** teaches **'abstracting the first content object includes separating an audio portion from a video portion of the video object'** (col. 22, lines 57-59).

17.   With respect to claim 14, **Baer** teaches **'first content object is a video object, and wherein the fourth content object is an Internet object'** (col. 5 lines 46-51).

18.   With respect to claim 15, **Baer** teaches **'identifying a content object associated with one of the first plurality of content object entities that has expired'** (col. 13 lines 49-52 and col. 28, lines 4-9).

    'removing the identified content object' (col. 28, lines 4-9).

19.   With respect to claim 16, **Baer** teaches **'the first content object is a video object'** (col. 5 lines 46-51).

    'wherein abstracting the first content object includes removing a visual portion of the video object' (col. 22, lines 57-59).

    'wherein the second content object includes an audio portion of the video object' (col. 5 lines 46-51).

20.   With respect to claim 17, **Baer** teaches **'querying each of the first plurality of content object entities to identify a first plurality of content objects'** (col. 4 lines 1-11).

'providing an access point, wherein the access point indicates the first plurality of content objects, and one or more of the second plurality of content object entities to which each of the first plurality of content objects can be directed' (col. 6, lines 13-19).

21.   With respect to claim 18, **Baer** teaches 18. A method for accessing content objects within a customer premises <u>by a content access point</u>, the method comprising:

'identifying content object entities within the customer premises' as mapping to the customer's website (col. 40, lines 53-64).

'grouping the identified content object entities into a first plurality of content object entities and a second plurality of content object entities' as entity groups storing content (col. 9 lines 24-31).

'first plurality of content object entities are sources of content objects, and wherein the second plurality of content object entities are destinations of content objects' as storing and retrieving objects in an object server (col. 6, lines 13-19).

'providing <u>guide</u>, wherein the <u>guide</u> indicates the first plurality of content objects, and one or more of the second plurality of content object entities to

which each of the first plurality of content objects can be directed' as the library server directs requests to the appropriate server (col. 6, lines 13-19).

22.   With respect to claim 19, **Baer** teaches **'mixing two or more content objects from the first plurality of content object entities to form a composite content object** (col. 26, lines 45-47).

'providing the composite content object to one of the second plurality of content object entities (col. 27, lines 32-36).

23.   With respect to claim 20, **Baer** teaches **'accessing a first content object from one of the first plurality of content object entities'** (col. 8, lines 19-29).

'eliminating a portion of the content included with the first content object to create a second content object' (col. 62, lines 25-33).

'providing the second content object to one of the second plurality of content object entities' (col. 27, lines 32-36).

Response to Arguments

Applicant's arguments filed 5/15/2006 have been fully considered but they are not persuasive.

The applicant is to be reminded that the Examiner reviews the claims with the broadest reasonable interpretation.

The applicant argues on page 11 that the Baer reference does not disclose an abstraction engine to receive a content object from on of the first plurality of content object entities and to form the content object into an abstract form, or a distinction engine operable to conform the abstracted content object with a standard compatible with a selected one of the second plurality of content objects. The Examiner respectfully disagrees.

The Examiner submits that the Baer reference still teaches **'an abstraction engine** (converter 10) **to receive a content object from one of the first plurality of content object entities** (input interface 8) **and to form the content object into an abstract form, or a distinction engine** (converter 10) **operable to conform the abstracted content object with a standard compatible with a selected one of the second plurality of content objects'** (object store 50). From paragraph 0007 and the third limitation of claim 1, the conclusion is drawn that "content object entities" can comprise of a human interface and/or the Internet. Baer discloses this limitation as drawing reference 8 of figure 1 and other figures, which is described in column 22 starting on line 39. Here it is described that an interface 8 is provided for the user to enter information to be stored ("content object"). The interface can be a web-based solution 22. Here the web-based interface can be interpreted to be a content object entity including at least a human interface and the Internet.

The operation of **Baer's** converter ("abstraction/distinction engine") is thoroughly described in column 5 line 4-30 and column 22, starting on line 56. From these excerpts, the examiner interprets the converter to receive content from input application

8 ("receiving content object from a first plurality of content object entities) for conversion

int the format expected by a data loader ("forming the content into an abstract form").

The Applicant argues on page 12 that Baer does not disclose abstracting the first

content object to create a second content object in an abstract format, wherein the

abstract format is compatible with a plurality of content formats, or distinguishing the

second content object to create a third content object, wherein the third content object is

in a second content format that is compatible with a second content object entity. The

examiner respectfully disagrees.

The examiner submits that "abstracting...compatible with a plurality of content

formats" has been disclosed by Baer (see response to first argument). **Baer** goes on

further to disclose distinguishing the second content object to create a third content

object, wherein the third content object is in a second content format that is compatible

with a second content object entity. More specifically, Baer discloses the converter's

ability to separate product entities ("distinguishing content object") (col. 22 line 56-65,

Baer). Baer's converter also is capable of building a composite third file format (third

content object) (col. 26, line 45-67, Baer).

The applicant argues on page 12 that the Baer reference does not disclose

identifying content object entities within the customer premises. The examiner

respectfully disagrees.

According to the specification n paragraph 0041-0042, the examiner draws the conclusion that a "customer premises" is storage space allocated to a customer, which could be interpreted as a user of a system.

Baer suggests the "identifying content object entities within the customer premises" when it is taught that a Program Index class is populated with a *row for each user* (col. 16, Baer). Furthermore the object carries the identifier of the user who created it (col. 16, line 54).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Leslie Wong   Robert M. Timblin
                                                                    Patent Examiner AU 2167
Primary Examiner

RMT
7/26/2006